



3738

Patent
Attorney Docket No: 687-430IN THE UNITED STATES PATENT AND TRADEMARK OFFICE #11/86
12-17-02

In re Application of:

Jadhav, Balkrishna S.

Group Art Unit: 3738

Serial No.: 09/774,516

Filed: January 31, 2001

Examiner: Isabella, David J.

For: Bioresorbable Stent

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on:

November 1, 2002

Date

Linda K. Newton

Signature: Linda K. Newton

RESPONSE TO ELECTION OF SPECIESCommissioner for Patents
Washington, DC 20231

Dear Sir:

In response to the Election of Species Requirement mailed 10/1/02, please enter the following remarks:

REMARKS

The Office Action required an election to one of three species. The Office Action identified those species as:

1. helical fiber orientation,
2. parallel fiber and cross over orientation
3. non-fiber, fenestration

Applicants elect the species identified in the Office Action as "parallel fiber and cross over orientation." This election is with traverse. Applicants respectfully request clarification of the election of species requirement for the reasons set forth below. As best understood by Applicants, it is submitted that all claims 1-19 read on the species identified in the Office Action. Applicants also respectfully disagree with the position taken in the Office Action that "no claim is generic." Applicants submit that, at the very least, claim 15 is generic.

Parent application (SN: 09/324,743) included an election of species requirement mailed 10/2/00. That election of species requirement identified the species as: Figure 1, Figure 2 and Figure 3. Applicants respectfully request clarification as to whether the present

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